

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

**BARILLA G. E R. FRATELLI-SOCIETA  
PER AZIONI AND BARILLA AMERICA,  
INC.,**

**Plaintiff,**

**v.**

**AMERICAN ITALIAN PASTA COMPANY,**

**Defendant.**

**No. 08 CV 02252**

**Judge Wayne R. Anderson  
Magistrate Judge Morton Denlow**

**AGREED MOTION FOR AN ADDITIONAL  
EXTENSION OF TIME TO APPEAR AND RESPOND**

Plaintiffs Barilla G. E R. Fratelli-Societa Per Azioni and Barilla America, Inc. (collectively “Barilla”), by their attorneys, ask this Court to allow Defendant American Italian Pasta Company (“AIPC”) up to and including October 2, 2008 to file its appearance and response to Barilla’s complaint. In support of this motion, Barilla states as follows:

1. Barilla filed and served their complaint against AIPC on or about April 21, 2008.
2. In light of ongoing settlement discussions, counsel for AIPC asked for additional time to file its appearance and to respond to Barilla’s complaint up to and including September 2, 2008.
3. Accordingly, on July 14, 2008, counsel for Barilla filed an Agreed Motion for an Extension of Time to Appear and Respond. This Court granted the motion on July 21, 2008.
4. The parties are still engaged in settlement discussions and Barilla believes that the parties may be able to resolve this case within the next 30 days.
5. Accordingly, counsel for AIPC has asked for an additional extension of time to file its appearance and to respond to Barilla’s complaint up to and including October 2, 2008.

6. Barilla has no objection to AIPC's request for an additional 30 days to appear and respond to its complaint.

7. No party will be prejudiced by the requested extension of time.

Wherefore, Plaintiffs Barilla G. E R. Fratelli-Societa Per Azioni and Barilla America, Inc. request that Defendant American Italian Pasta Company be granted an extension of time until and including October 2, 2008 in which to appear and respond to Barilla's complaint.

Respectfully submitted,

**BARILLA G. E R. FRATELLI-SOCIETA PER  
AZIONI AND BARILLA AMERICA, INC.,**

By: /s/ Andrea E. Forsyth

Anthony C. Valiulis  
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